

EXHIBIT "A"

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA GENERAL ENERGY)	
COMPANY, L.L.C.)	
)	
Plaintiff/Counter-Defendant,)	Case No. <u>1:14-CV-209</u>
)	Magistrate Judge
PENNSYLVANIA INDEPENDENT)	Susan Paradise Baxter
OIL & GAS ASSOCIATION)	
)	
Plaintiff-Intervenor)	
)	
v.)	
)	GRANT TOWNSHIP'S
)	CROSS-MOTION FOR SUMMARY
GRANT TOWNSHIP,)	JUDGMENT
)	
)	
Defendant/Counter-Plaintiff.)	
)	<i>Electronically Filed</i>
_____)	

GRANT TOWNSHIP'S CROSS-MOTION FOR SUMMARY JUDGMENT

Grant Township, by and through its undersigned counsel, hereby files this Cross-Motion for Summary Judgment.

1. On December 16, 2017, PIOGA filed a Motion for Summary Judgment.
2. This same date Grant Township is filing an Opposition to PIOGA's Motion for Summary Judgment.
3. Grant Township incorporates its Opposition to PIOGA's Motion for Summary Judgment by reference in support of its Motion for Summary Judgment.

4. For the reasons set forth in its Opposition to PIOGA's Motion for Summary Judgment, Grant Township is entitled to Summary Judgment in its favor as to PIOGA's federal equal protection and federal due process claims.
5. Grant Township files this cross-motion for summary judgment on the claims upon which PIOGA has not met or cannot meet its burden, and its Concise Statement of Material Facts filed with its Opposition has presented undisputed facts which entitle it to judgment as a matter of law.
6. Grant Township is also entitled to summary judgment in its favor as to PIOGA's claim under the Supremacy Clause because, as this Court has already found, there is no private cause of action under the Supremacy Clause.
7. Finally, Grant Township seeks summary judgment in its favor on, and dismissal of, PIOGA's claim under the Pennsylvania Constitution for the reasons set forth in its Opposition.

For the foregoing reasons, Grant Township respectfully requests that the Court grant summary judgment in its favor as to Counts I (Supremacy Clause), II (Equal Protection), V (Procedural due process), and Count VII (Unauthorized by and Contrary to the Pennsylvania Constitution) of PIOGA's Complaint, and dismiss those counts with prejudice.

Dated: January 10, 2018.

Respectfully submitted,

For Defendant/Counter-Plaintiff Grant Township:

/s/ Thomas Linzey, Esq.

Thomas Alan Linzey, Esq. (PA 76069)

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Certificate of Service

I certify that I electronically filed a true and correct copy of the foregoing *Grant Township's Cross-Motion for Summary Judgment* on January 10, 2018 using the Court's CM/ECF system. The other parties are electronic filing users, and served by the Notice of Docket Activity.

/s/ Thomas Linzey, Esq.

Thomas Alan Linzey, Esq. (PA 76069)